



Stephanie Garcia Richard, Land Commissioner
State of New Mexico

FOR IMMEDIATE RELEASE

June 19, 2019

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**Commissioner Garcia Richard: Holtec Int'l
Misrepresentations Raise Serious Safety Concerns
for Proposed Nuclear Storage Facility**
*No Restrictions on Oil, Gas and Mining Activities
At Proposed Site*

SANTA FE, NM – Today Commissioner of Public Lands Stephanie Garcia Richard sent the attached letter to Holtec International President and CEO, Krishna Singh. The letter outlines a number of concerns regarding Holtec's proposal for a nuclear storage facility in Lea County - specifically safety concerns that have not been addressed and misrepresentations made by the company in its filings with the Nuclear Regulatory Commission (NRC). The surface and mineral estate are split in ownership at the proposed location, with the Eddy-Lea Energy Alliance, LLC owning the surface land and the State Land Office owning the mineral estate.

The proposed nuclear storage site is located in the middle of the Permian Basin, one of the world's most productive oil and gas regions. Nearly 2,500 oil, gas, and mineral wells or sites are operated by 54 different businesses or entities within a 10 mile radius of the proposed site. Locating an interim nuclear storage site above active oil, gas, and mining operations raises serious safety concerns.

Holtec has falsely claimed to have secured agreements from oil and gas operators at or around the site to restrict these activities, specifically assuring the NRC that oil and gas drilling will only occur at depths greater than 5,000 feet. However, there are no such agreements containing these restrictions in place with oil and gas lessees at the site or

the State Land Office. One agreement has been made with Intrepid Mining, LLC, a potash mining company, but that agreement has not been approved, as required by lease terms, by the State Land Office.

Given the State Land Office's mineral ownership of the land and the lack of restrictions on mineral development at the site, any claim that activities at the site have been restricted is incorrect. Holtec's submissions to the NRC, including the company's Facility Environmental Report and Safety Analysis Report, include statements that have the potential, intended or not, to mislead federal regulators as they consider the safety implications of the proposal.

Commissioner Garcia Richard released the following statement regarding the letter and the Holtec proposal:

“This is not the right site for high-level nuclear storage. Holtec has only provided bits and pieces of information, and what they have provided has been incomplete and at times misleading. We are talking about storing over 120,000 metric tons of nuclear waste in an extremely active oil field without a clear picture of the potential hazards of that combination. For example, I'm not aware of any studies demonstrating the safety of fracking beneath a nuclear storage site. There is no guarantee that high-level nuclear waste can be safely transported to and through New Mexico. There is no guarantee that there won't be a hazardous interaction between the storage site and nearby oil, gas, and mining activities. There is no guarantee that this site will truly be 'interim' and won't become the permanent dumping ground for our nation's nuclear waste. I understand that we need to find a storage solution, but not in the middle of an active oil field, not from a company that is misrepresenting facts and unwilling to answer questions, not on our state trust lands.”

Oil, gas, and mineral production, ranching and farming, and commercial development on State Trust Lands support public schools, seven universities, New Mexico Military Institute, New Mexico School for the Deaf, New Mexico School for the Blind and Visually Impaired, three hospitals, correctional facilities, water conservation projects, and public building construction and repair. In fiscal year 2018, the State Land Office collected \$852 million from lease payments, oil and gas lease sale earnings, rights-of-way, permits, interest, fees, and oil, gas, and mineral royalties.